



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Howard McGinnis  
Yuma County  
1310 So. Blake St.  
Wray, CO 80758

**Re: Receipt of 112 Construction Materials Reclamation Permit Amendment Application  
Moser Pit, Permit No. M-2008-035, AM 01**

Dear Mr. McGinnis:

On November 21, 2014, the Division of Reclamation, Mining and Safety received your 112 Construction Materials Reclamation Permit Amendment application for the Moser Pit, which is located in Yuma County. All comment and review periods began on November 21, 2014. The decision date for your application is scheduled for February 19, 2015.

Within ten (10) days after submittal, you must publish notice in a newspaper of general circulation in the locality of the proposed mining operation once a week for four (4) consecutive weeks. Immediately after the first publication, mail a copy of the notice to all owners of record of surface and mineral rights, holders of any recorded easements, and all owners of record of lands that are within 200 feet of the boundary of the affected land. Proof of notice and mailings, such as Certified Mail - Return Receipt Requested, must be submitted to the Division of Reclamation, Mining and Safety prior to the decision date. Additionally, any changes or additions to the application on file in our office must also be reflected in the public review copy which has been placed with the Yuma County Clerk and Recorder.

The Division is reviewing your application to determine whether it is adequate to meet the requirements of the Act. We will contact you if additional information is needed.

Please be reminded that all operators must contact the Colorado Department of Health, Water Quality Control Division regarding storm water permits.

If you have any questions, please contact me.

Sincerely,

Elliott R. Russell  
Environmental Protection Specialist

cc: Randy Schafer





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1313 Sherman Street, Room 215  
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Environmental Protection Specialist

cc: ✓ Randy Schafer





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Yuma County Commissioners  
County Commissioner  
310 Ash Ste. #A  
Wray, CO 80758-1800

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

A copy of the application is available for review, unless you receive a CD, at the Yuma County Clerk & Recorder's office and at the office of the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203.

If you desire to make comments or objections of the mine plan and/or the reclamation plan, they must be submitted within twenty (20) days of the date of the last newspaper public notice to be considered in the application review process by the Division. You should contact the applicant for the newspaper publication date. If we do not receive your comments or any objection by the end of the public comment period, the Office will assume you have no objection or comment to the proposed activity.

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Sincerely,

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Environmental Protection Specialist





**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Yuma County Planning Department  
Planning Director  
310 Ash Ste. #A  
Wray, CO 80758-1800

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

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Environmental Protection Specialist





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Shannon V. Johnson  
Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Ms. Johnson:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Environmental Protection Specialist





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Peter Milonas  
State Board of Land Commissioners  
Department of Natural Resources  
1127 Sherman Street, Suite 300  
Denver, CO 80203-2206

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Mr. Milonas:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Sincerely,

Elliott R. Russell  
Environmental Protection Specialist







## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Arch Crouse  
Air Pollution Control Division  
Colorado Dept of Public Health/ Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Mr. Crouse:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Sincerely,

Elliott R. Russell  
Environmental Protection Specialist





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Janet Kieler  
Colo Dept of Public Health and Environment  
Water Quality Control Division Permit Section  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Ms. Kieler:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Sincerely,

Elliott R. Russell  
Environmental Protection Specialist







## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Mark Tobias  
Office of Archaeology & Historic Preservation  
History Colorado Center  
1200 Broadway  
Denver, CO 80203

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Mr. Tobias:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Sincerely,

Elliott R. Russell  
Environmental Protection Specialist





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Kiel Downing  
U.S. Army Corps of Engineers  
Denver Regulatory Office  
9307 S. Wadsworth  
Littleton, CO 80128

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Kiel:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Environmental Protection Specialist





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Steve Yamashita  
Colorado Parks and Wildlife  
Northeast Region Manager  
NE Region Administrative Office  
6060 Broadway  
Denver, CO 80216

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Mr. Yamashita:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Sincerely,

Elliott R. Russell  
Environmental Protection Specialist





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Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 24, 2014

Barbara Clayburg  
Board of Supervisors - Soil Conservation Dist  
Yuma County Conservation District  
247 N Clay, Ste 1  
Wray, CO 80758

**RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application Consideration  
Yuma County, Moser Pit, Permit No. M-2008-035**

Dear Ms. Clayburg:

Please be advised that on November 21, 2014, Yuma County, whose address and telephone number are 1310 S. Blake St. , Wray, CO 80758; (970) 332-5718, filed an Amendment application to M-2008-035, Moser Pit, which is located at or near Section 9, Township 1S, Range 48W, 06th Prime Meridian, in Yuma County. The application decision is scheduled for February 19, 2015.

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Environmental Protection Specialist



# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106

AMØ1

RECEIVED

NOV 06 2014

DIVISION OF RECLAMATION  
MINING AND SAFETY



### CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☒ There is a File Number Already Assigned to this Operation

Permit # M2008 035 - (Please reference the file number currently assigned to this operation)

☐

New Application (Rule 1.4.5)

☒

Amendment Application (Rule 1.10)

☐

Conversion Application (Rule 1.11)

Permit # M 2008 035 - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

#### GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. Applicant/operator or company name (name to be used on permit): Yuma County
  - 1.1 Type of organization (corporation, partnership, etc.): County Government
2. Operation name (pit, mine or site name): Moser Pit
3. Permitted acreage (new or existing site):

	<u>38.57</u>	permitted acres
3.1 Change in acreage (+)	<u>7.03</u>	acres
3.2 Total acreage in Permit area	<u>45.6</u>	acres
4. Fees:

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u><del>\$2,229.00</del></u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. Primary commodity(ies) to be mined: Gravel Sand Borrow

5.1 Incidental commodity(ies) to be mined:	1. <u>-</u> lbs/Tons/yr	2. <u>/</u> lbs/Tons/yr
	3. <u>/</u> lbs/Tons/yr	4. <u>/</u> lbs/Tons/yr
		5. <u>/</u> lbs/Tons/yr
5.2 Anticipated end use of primary commodity(ies) to be mined:	<u>Construction materials</u>	
5.3 Anticipated end use of incidental commodity(ies) to be mined:	<u>N/A</u>	

6. Name of owner of subsurface rights of affected land: James Moser, Conservator and Eldon Moser  
If 2 or more owners, "refer to Exhibit O".

7. Name of owner of surface of affected land: James Moser, Conservator and Eldon Moser

8. Type of mining operation: ☒ Surface ☐ Underground and Gary and Virginia McCall

9. Location Information: The center of the area where the majority of mining will occur:

COUNTY: Yuma

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 9

TOWNSHIP (write number and check direction): T 1 ☐ North ☒ South

RANGE (write number and check direction): R 48 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☒ NW ☐ SE ☐ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):  
8 mi S of Yuma on Colo 59; then W. approx. 2 miles to CR 30; then S. 2 mi to CR 28; then W 1/2 mi to pit entrance. Approx. Elev. 4420.

10. Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"  
(W) 104° 59' 3.87"

Latitude (N): deg 39 min 58 sec 49.79 (2 decimal places)

Longitude (W): deg 102 min 45 sec 20.18 (2 decimal places)

OR

Example: (N) 39.73691°  
(W) -104.98449°

Latitude (N) \_\_\_\_\_ (5 decimal places)

Longitude (W) \_\_\_\_\_ (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) WGS 84 Zone 13

Easting \_\_\_\_\_

Northing \_\_\_\_\_



11. Correspondence Information:

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: Howard McGinnis Title: Truck & Mining Supervisor  
Company Name: Yuma County  
Street/P.O. Box: 1310 Blake Street P.O. Box: \_\_\_\_\_  
City: Wray  
State: CO Zip Code: 80758  
Telephone Number: (970) - 332-5718  
Fax Number: (970) - 332-3429

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Randy Schafer Title: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Street/P.O. Box: 40586 Co. Rd. 21 P.O. Box: \_\_\_\_\_  
City: Haxtun  
State: CO Zip Code: 80731  
Telephone Number: (970) - 774-6264 (Home), 970-520-0502 (Cell), 970-854-3778 (Work)  
Fax Number: (970) - 854-3811

INSPECTION CONTACT

Contact's Name: Howard McGinnis Title: Truck & Mining Supervisor  
Company Name: Yuma County  
Street/P.O. Box: 1310 Blake St. P.O. Box: \_\_\_\_\_  
City: Wray  
State: CO Zip Code: 80758  
Telephone Number: (970) - 332-5718  
Fax Number: (970) - 332-3429

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

12. **Primary future (Post-mining) land use (check one):**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Cropland(CR)                  | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA)   |
| <input checked="" type="checkbox"/> Rangeland(RL)      | <input type="checkbox"/> Forestry(FR)    | <input type="checkbox"/> Wildlife Habitat(WL)      |
| <input type="checkbox"/> Residential(RS)               | <input type="checkbox"/> Recreation(RC)  | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) |  | <input type="checkbox"/> Solid Waste Disposal(WD)  |

13. **Primary present land use (check one):**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Cropland(CR)                  | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA)   |
| <input checked="" type="checkbox"/> Rangeland(RL)      | <input type="checkbox"/> Forestry(FR)    | <input type="checkbox"/> Wildlife Habitat(WL)      |
| <input type="checkbox"/> Residential(RS)               | <input type="checkbox"/> Recreation(RC)  | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) |  |  |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
This area is mined using loaders and dozers to move material from the embankment to the processing plant.

15. **On Site Processing:** ☒ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
Processing Plant is moved to site until approx. 40,000 tons is stockpiled. The stockpiles are removed as needed. Plant moved in again as stockpile is depleted.

List any designated chemicals or acid-producing materials to be used or stored within permit area: \_\_\_\_\_  
\_\_\_\_\_

16. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

The 112 permit is being amended by adding 7.03 acres. The acreage is being added because  
the county was outside the originally permitted acreage.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Maps and Exhibits:**

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

**Responsibilities as a Permittee:**

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

*2m*

1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

gln 2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

gln 3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

gln 4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

gln 5. It is your responsibility to notify the Office of any changes in your address or phone number;

gln 6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

c. the permit number.

gln 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

gln 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

gln 9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

gln 10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

**NOTE TO COMMENTORS/OBJECTORS:**

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

**Certification:**

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.;
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

*This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.*

Signed and dated this 28<sup>th</sup> day of October, 2014.

Yuma County  
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Howard McBrian

Signed: \_\_\_\_\_

Title: Truck and Mining Supervisor

Corporate Secretary or Equivalent  
Town/City/County Clerk

State of Colorado )  
 ) ss.  
County of Yuma )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of October, 2014, by Howard McBrian as Truck and Mining Supervisor of Yuma County

**RANDALL D. SCHAFER**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19954016062  
MY COMMISSION EXPIRES 12/06/2016

Randall D. Schaffer  
Notary Public

My Commission expires: 12/6/2016

**SIGNATURES MUST BE IN BLUE INK**

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

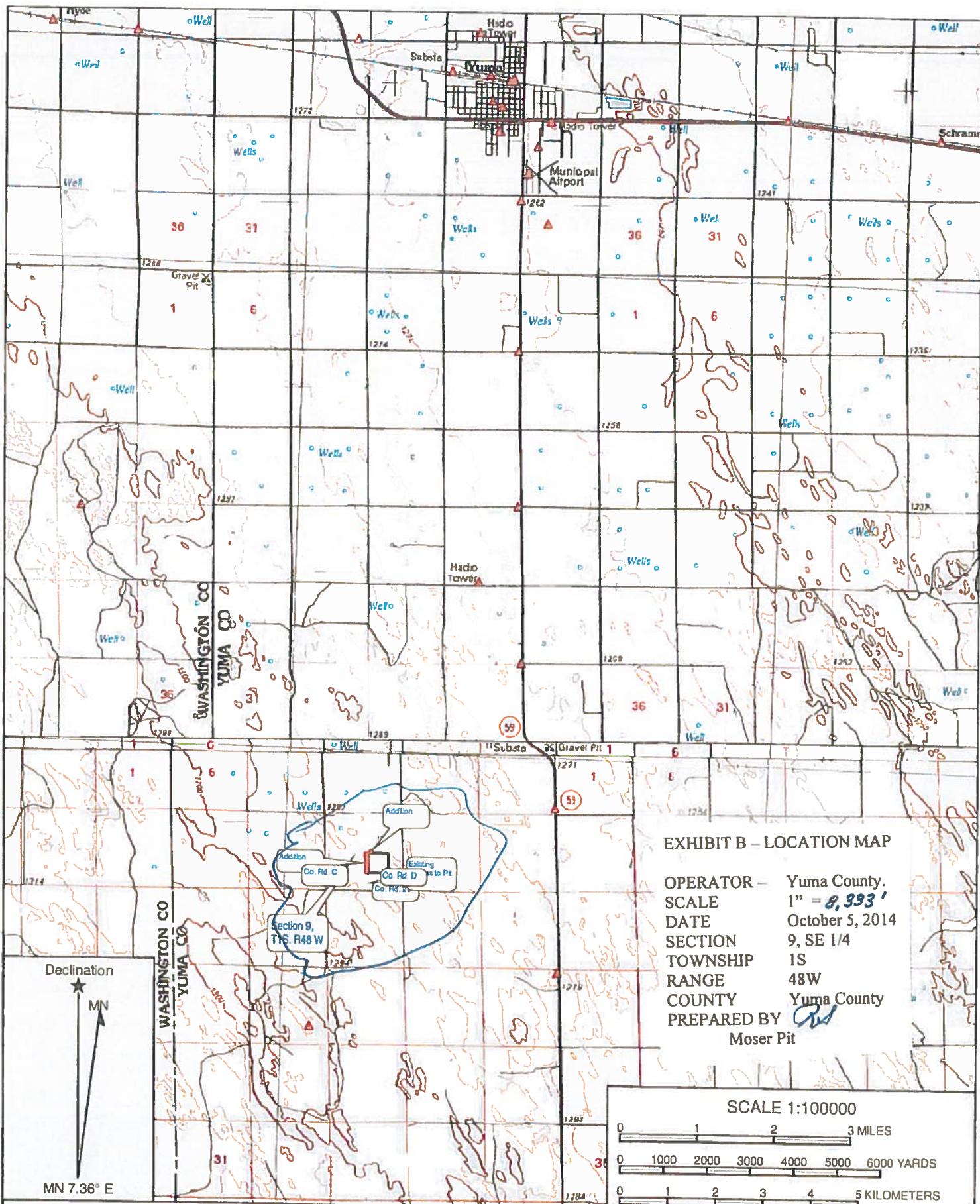


EXHIBIT A – Legal Description

The pit will encompass approximately 45.6 acres in the NW 1/4 of the SE 1/4 of Section 9, T1S, R48W of the 6th P.M., Yuma County, Colorado.

EXHIBIT B – Index Map

Exhibit B shows a regional location map of the area and a notation of where the Moser Pit is located.



# EXHIBIT B – LOCATION MAP

OPERATOR – Yuma County.  
 SCALE 1" = 8,333'  
 DATE October 5, 2014  
 SECTION 9, SE 1/4  
 TOWNSHIP 1S  
 RANGE 48W  
 COUNTY Yuma County  
 PREPARED BY *[Signature]*  
 Moser Pit

Name: WRAY  
 Date: 10/28/14  
 Scale: 1 inch = 8,333 ft.

Location: 040° 01' 38.20" N, 102° 43' 30.42" W  
 Amendment to Moser Pit M-2008-035